

**RECEIVED  
CENTRAL FAX CENTER**

Attorneys at Law

**APR 20 2007**  
Suite 2800 1100 Peachtree St.  
Atlanta GA 30309-4530  
t 404 815 6500 f 404 815 6555  
www.KilpatrickStockton.comdirect dial 404 815 6446  
direct fax 404 541 3375  
Arossi@KilpatrickStockton.com

April 20, 2007

**FAX**

| RECIPIENT/<br>PHONE NO. | FAX NO.      | COMPANY/<br>CITY, STATE, COUNTRY  |
|-------------------------|--------------|---|
| Central Fax             | 571.273.8300 | Mail Stop Amendment<br>U.S. Patent and Trademark Office<br>Alexandria, VA |

Angela M. Rossi

FROM

6

PAGES (WITH COVER)

2298

REFERENCE NO

50642/287729

CLIENT/MATTER NO.

**PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.****CONFIDENTIALITY NOTE:**

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

**COMMENTS**Re: U.S. Patent Application Serial No. 10/679,158  
Our Ref. No. 50642/287729**TO BE COMPLETED BY KS OPERATIONS CENTER****TRANSMISSION RECEIPT DATE/TIME:** \_\_\_\_\_**COMPLETED BY:** \_\_\_\_\_**JOB CODE** \_\_\_\_\_

ATLANTA AUGUSTA CHARLOTTE LONDON NEW YORK RALEIGH STOCKHOLM WASHINGTON WINSTON-SALEM

US2100 2877144.1

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

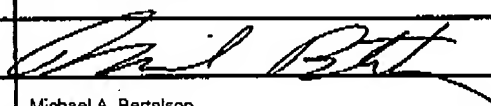
|   |                        |                  |
|---|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/679,158       |
|   | Filing Date            | October 3, 2003  |
|   | First Named Inventor   | Thomas Russell   |
|   | Art Unit               | 3733             |
|   | Examiner Name          | Davis, Daniel J. |
| Total Number of Pages in This Submission  | Attorney Docket Number | 50642/287729     |

RECEIVED  
CENTRAL FAX CENTER

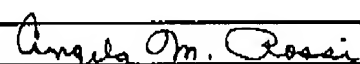
APR 20 2007

| ENCLOSURES (check all that apply)  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) ____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. Form PTO/SB/08 (01sheet)<br>2. 01 Publication |
| <b>Remarks</b><br><br>   |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |  |          |        |
|--------------|--|----------|--------|
| Firm         | Kilpatrick Stockton, LLP   |          |        |
| Signature    |  |          |        |
| Printed Name | Michael A. Bertelson   |          |        |
| Date         | April 18, 2007   | Reg. No. | 54,713 |

## CERTIFICATE OF TRANSMISSION/MAILING

|  |   |      |         |
|--|---|------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO on the date shown below. |   |      |         |
| Signature  |  |      |         |
| Typed or printed name  | Angela M. Rossi   | Date | 4/20/07 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER****APR 20 2007****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: RUSSELL, et al.

SERIAL NO.: 10/679,158

Group Art Unit: 3733

FILED: October 3, 2003

Examiner: DAVIS, Daniel J.

FOR: SURGICAL POSITIONERS

Attorney Docket No.: 50642/287729

Date: 4/18/07

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

---

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publication listed on the enclosed Form PTO/SB/08 is cited for consideration by the Examiner. A copy of the cited document is enclosed.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

U.S. Serial No. 10/679,158

Filed: October 3, 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Page 2

This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

Respectfully submitted,



Michael A. Bertelson  
Registration No. 54,713

KILPATRICK STOCKTON LLP  
Suite 2800, 1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Phone (404) 815-6500

9353264

US2000 2514311.1